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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,963	08/08/2005	Herve Jegou	017346-0185	2123
22428	7590	05/05/2006	EXAMINER	
FOLEY AND LARDNER LLP SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			WILLIAMS, HOWARD L	
			ART UNIT	PAPER NUMBER
			2819	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/521,963

Applicant(s)

JEGOU ET AL.

Examiner

Howard L. Williams

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 9 and 12-18 is/are rejected.
- 7) ☒ Claim(s) 5, 6, 8, 10 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>20050808</u> . | 6) <input type="checkbox"/> Other: ____ |

The disclosure is objected to because of the following informalities: Please add a statement of the continuity of the application to the first page of the specification.

Appropriate correction is required.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7, 9 and 12-18 are rejected under 35 U.S.C. 103(a) as unpatentable over Florencio (US 6449394 B1). Florencio discloses a method and system of variable length encoding (col. 1, lines 6-7) seen to corresponding to the claimed invention as explained below. Florencio's VLC system uses a variable length code tables with shorter code words assigned to more probable symbols but pads the shorter code words with "don't-care" bits (or redundant words) such that the code words have the fixed length (claim 2); the padded shorter code words are subsequently used to encode later appearing symbols (col. 4, line 9-col. 5, line 40). The "first data flow" is the earlier appearing symbols in the stream and the "second data flow" is the subsequently appearing symbols. Thus the processing module encodes the first symbols of the first data flow based upon the match by selecting among the redundant words on the basis of at least part of the second data flow, as claimed. In column 8 beginning at line 29 Florencio describes the test of "multiplexing capacity" or determination of whether there would be sufficient number of redundant bits to encode the subsequent appearing


symbols. The binary encoding tree is represented by the listed Boolean encoding logic appearing in columns 4-7, i.e. the "pseudocode" (e.g. col. 6, lines 45-60). Look-up tables are identified in col. 11, line 11.

Claims 5, 6, 8, 10 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Isomura (US 6055273 A) discloses a multiple-valued encoding system using redundant bits.

Any inquiry concerning this communication should be directed to Howard L. Williams at telephone number 571.272.1815. The Patent and Trademark Office central facsimile number for application specific correspondence intended for entry is 571-273-8300.

4/28/06
Voice: (571) 272-1815


Howard L. Williams
Primary Examiner
Art Unit 2819